

House File 584

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1 3 AN ACT
1 4 PROVIDING FOR EXCEPTIONS TO LIABILITY FOR CERTAIN ACTIVITIES.
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1 6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
1 7

1 8 Section 1. NEW SECTION. 321G.23A RECREATIONAL RIDING
1 9 AREA == LIMITATION OF LIABILITY OF PRIOR LANDOWNERS.

1 10 Prior owners of land on which an all-terrain vehicle
1 11 recreational riding area is established, maintained, or
1 12 operated owe no duty of care to keep the land safe for entry
1 13 or use by persons operating an all-terrain vehicle or to give
1 14 any warning of a dangerous condition, use, structure, or
1 15 activity on such premises that would make the land unsafe for
1 16 all-terrain vehicle usage.

1 17 Sec. 2. Section 670.4, subsections 14 and 15, Code 2003,
1 18 are amended to read as follows:

1 19 14. Any claim based upon or arising out of a claim of
1 20 negligent design or specification, negligent adoption of
1 21 design or specification, or negligent construction or
1 22 reconstruction of a public facility designed for purposes of
1 23 skateboarding, ~~or~~ in-line skating, bicycling, unicycling,
1 24 ~~scootering, river rafting, canoeing, or kayaking~~ that was
1 25 constructed or reconstructed, ~~reasonably and in good faith,~~ in
1 26 accordance with a generally recognized engineering or safety
1 27 ~~standard, criteria, standards~~ or design ~~theory theories~~ in
1 28 existence at the time of the construction or reconstruction.

1 29 15. Any claim based upon or arising out of an act or
1 30 omission of an officer or employee of the municipality or the
1 31 municipality's governing body by a person skateboarding, ~~or~~
1 32 ~~in-line skating, bicycling, unicycling, scootering, river~~
1 33 ~~rafting, canoeing, or kayaking~~ on public property when the
1 34 person knew or reasonably should have known that the
1 35 skateboarding, ~~or~~ in-line skating, bicycling, unicycling,
2 1 ~~scootering, river rafting, canoeing, or kayaking~~ created a
2 2 substantial risk of injury to the person and was voluntarily
2 3 in the place of risk. The exemption from liability contained
2 4 in this subsection shall only apply to claims for injuries or
2 5 damage resulting from the risks inherent in the activities of
2 6 skateboarding, ~~or~~ in-line skating, bicycling, unicycling,
2 7 ~~scootering, river rafting, canoeing, or kayaking.~~

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2 11 _____
2 12 CHRISTOPHER C. RANTS
2 13 Speaker of the House
2 14

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2 16 _____
2 17 MARY E. KRAMER
2 18 President of the Senate

2 19 I hereby certify that this bill originated in the House and
2 20 is known as House File 584, Eightieth General Assembly.

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2 24 _____
2 25 MARGARET THOMSON
2 26 Chief Clerk of the House

2 26 Approved _____, 2003

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2 29 _____
2 30 THOMAS J. VILSACK
2 31 Governor